

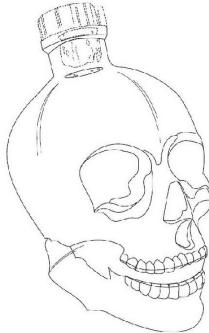
Exhibit A



Exhibit B

United States of America

United States Patent and Trademark Office



Reg. No. 4,043,730

GLOBEFLILL INCORPORATED (CANADA CORPORATION)
309 ALFRED STREET
KINGSTON, ONTARIO, CANADA K7L3S4

Registered Oct. 25, 2011

FOR: ALCOHOLIC BEVERAGES, NAMELY, VODKA, IN CLASS 33 (U.S. CLS. 47 AND 49).

Int. Cl.: 33

FIRST USE 9-0-2008; IN COMMERCE 9-0-2008.

TRADEMARK

THE MARK CONSISTS OF A CONFIGURATION OF A BOTTLE IN THE SHAPE OF A SKULL.
THE BOTTLE CAP IS SHOWN IN DOTTED LINES AND IS NOT A PART OF THE MARK.

PRINCIPAL REGISTER

SER. NO. 77-967,530, FILED 3-24-2010.

SARA BENJAMIN, EXAMINING ATTORNEY



David J. Kappos

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See 15 U.S.C. §§1058, 1141k.* If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See 15 U.S.C. §§1058, 1141k.* However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See 15 U.S.C. §1141j.* For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

Exhibit C

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

A handwritten signature in black ink that reads "Maria A. Pallante".

Acting Register of Copyrights, United States of America

Registration Number
VA 1-766-939

Effective date of
registration:
April 11, 2011

Title

Title of Work: Skull Bottle Packaging

Completion/Publication

Year of Completion: 2007

Date of 1st Publication: September 30, 2008

Nation of 1st Publication: United States

Author

■ Author: Bruni Glass Packaging, Inc.

Author Created: sculpture/3-D artwork

Work made for hire: Yes

Domiciled in: Canada

■ Author: Vetrerie Bruni S.p.A.

Author Created: sculpture/3-D artwork

Work made for hire: Yes

Domiciled in: Italy

Copyright claimant

Copyright Claimant: Globefill Incorporated

366 King Street East, Kingston, K7K 6Y3, Canada

Transfer Statement: By written agreement

Limitation of copyright claim

Material excluded from this claim: Sculpture based on drawings by John Alexander

Rights and Permissions

Organization Name: Baker & Hostetler LLP

Name: John H. Weber

Email: trademarks@bakerlaw.com

Telephone: 202-861-1500

Address: 1050 Connecticut Avenue, N.W.

Suite 1100

Washington, DC 20036 United States

Certification

Name: Kelu L. Sullivan

Date: April 11, 2011

Applicant's Tracking Number: 083108-

Correspondence: Yes



0000VA00017669390201

Exhibit D



US00D589360S

(12) **United States Design Patent** (10) **Patent No.:** **US D589,360 S**
Alexander (45) **Date of Patent:** **** Mar. 31, 2009**

(54) **BOTTLE**(75) Inventor: **John Alexander**, New York, NY (US)(73) Assignee: **Globefill Inc.**, Ontario (CA)(**) Term: **14 Years**(21) Appl. No.: **29/303,016**(22) Filed: **Jan. 30, 2008**(30) **Foreign Application Priority Data**

Feb. 10, 2007 (CA) 122529

(51) LOC (9) Cl. **09-01**(52) U.S. Cl. **D9/626**(58) **Field of Classification Search** D7/514-517; D9/600-601, 614, 620, 623-626; D11/128; D21/658-661

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D23,399 S * 6/1894 Lee D9/626

D420,903 S * 2/2000 Liberty D9/625

D459,213 S * 6/2002 Buboltz et al. D9/626

D483,905 S * 12/2003 Berounsky D26/126

* cited by examiner

Primary Examiner—Sandra Morris(74) *Attorney, Agent, or Firm*—Baker & Hostetler LLP(57) **CLAIM**

The ornamental design for a bottle, as shown and described.

DESCRIPTION

FIG. 1 is a left side perspective view of the bottle, particularly showing the inventive design thereof, the skull is transparent, but is not shown for ease of illustration;

FIG. 2 is a front view of the bottle shown in FIG. 1;

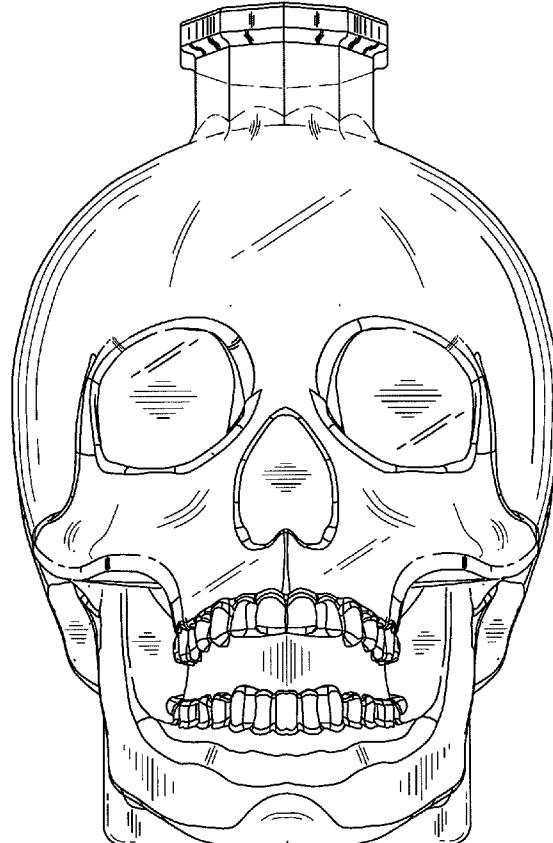
FIG. 3 is a rear view of the bottle shown in FIG. 1;

FIG. 4 is a left side view of the bottle shown in FIG. 1, the right side view of the bottle being a mirror image thereof;

FIG. 5 is a top view of the bottle shown in FIG. 1, the skull is transparent, but is not shown for ease of illustration; and,

FIG. 6 is a bottom view of the bottle shown in FIG. 1, the skull is transparent, but is not shown for ease of illustration.

The broken line showing is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 6 Drawing Sheets

U.S. Patent

Mar. 31, 2009

Sheet 1 of 6

US D589,360 S

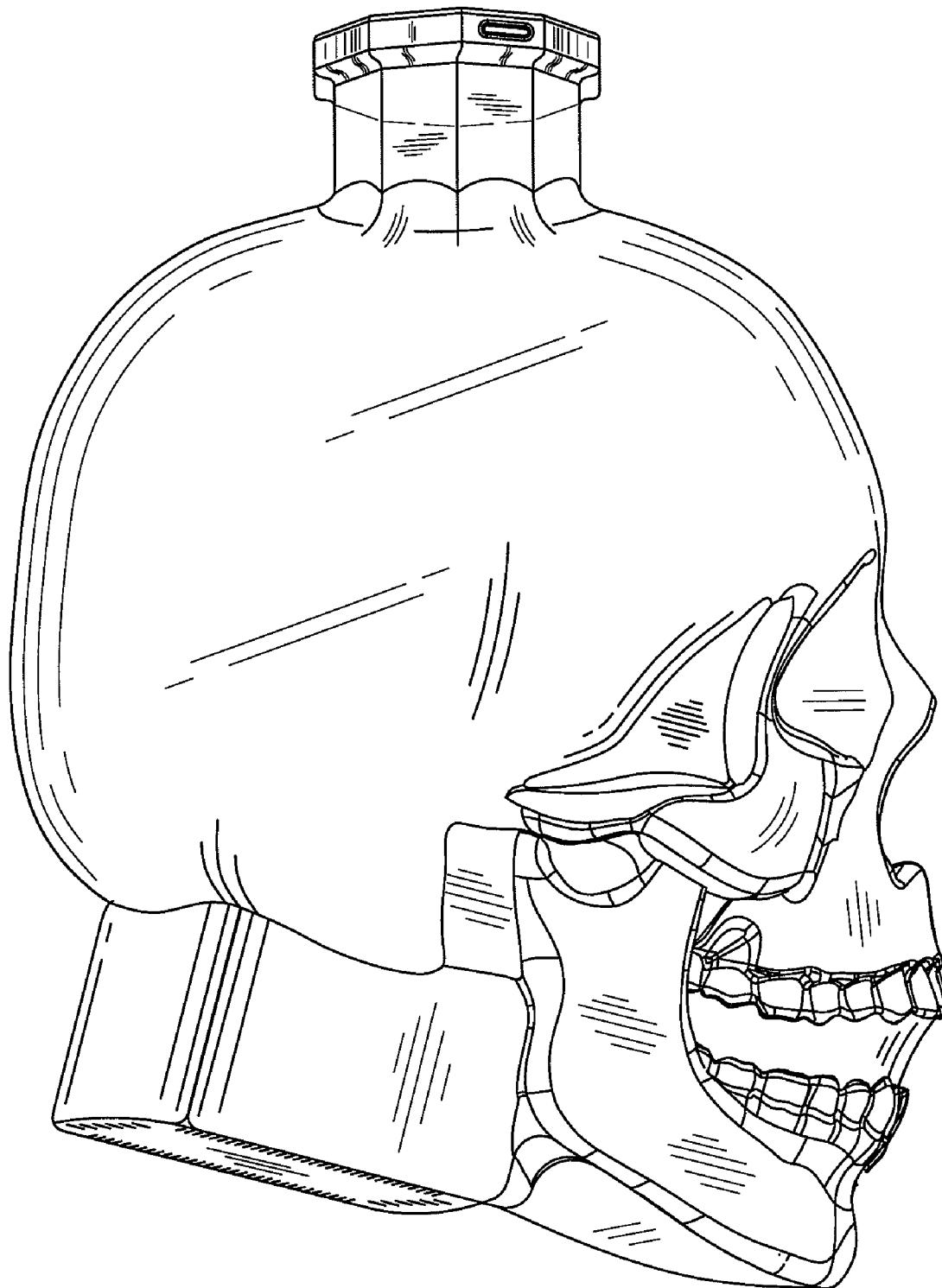


FIG. 1

U.S. Patent

Mar. 31, 2009

Sheet 2 of 6

US D589,360 S

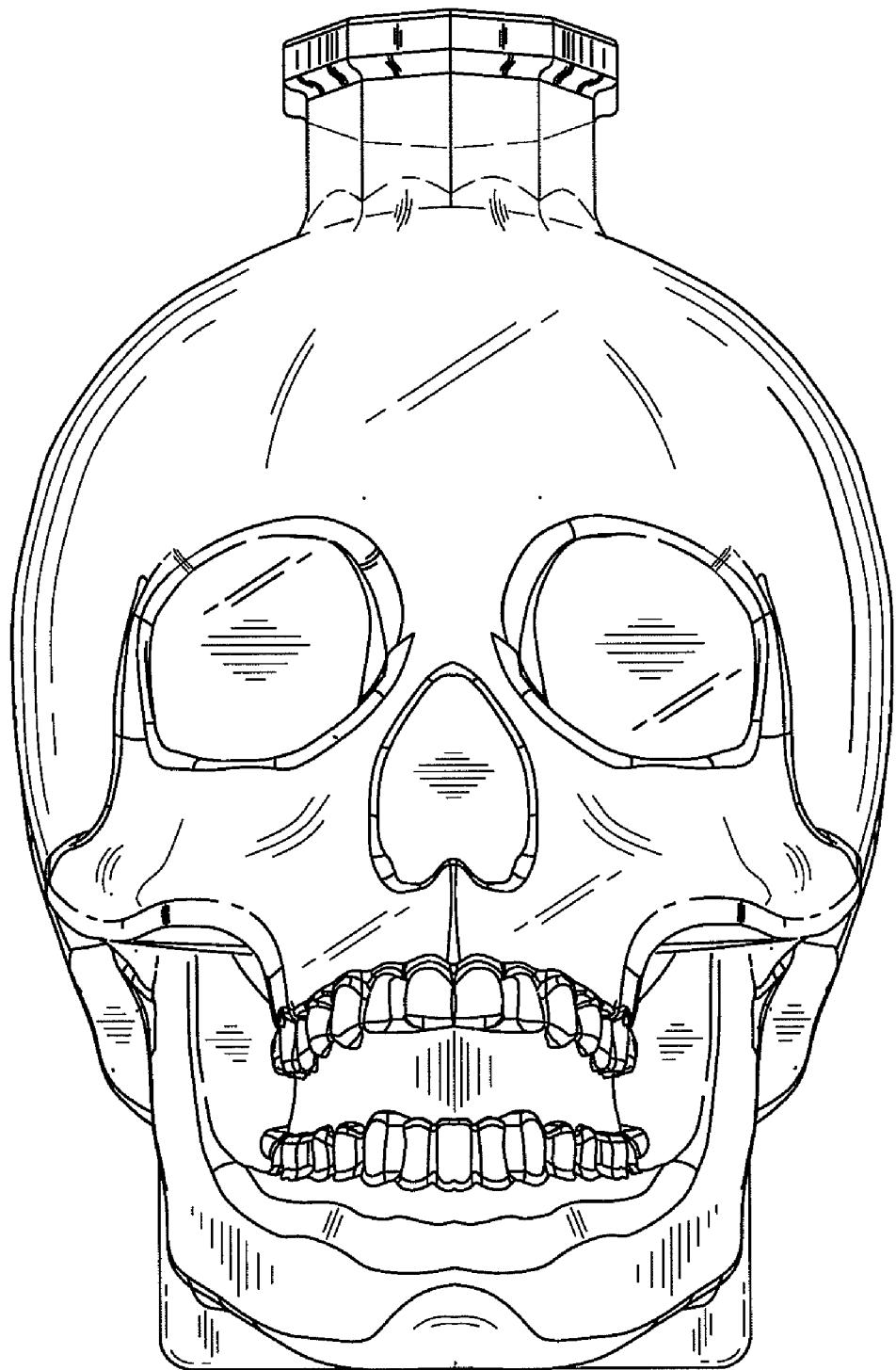


FIG. 2

U.S. Patent

Mar. 31, 2009

Sheet 3 of 6

US D589,360 S

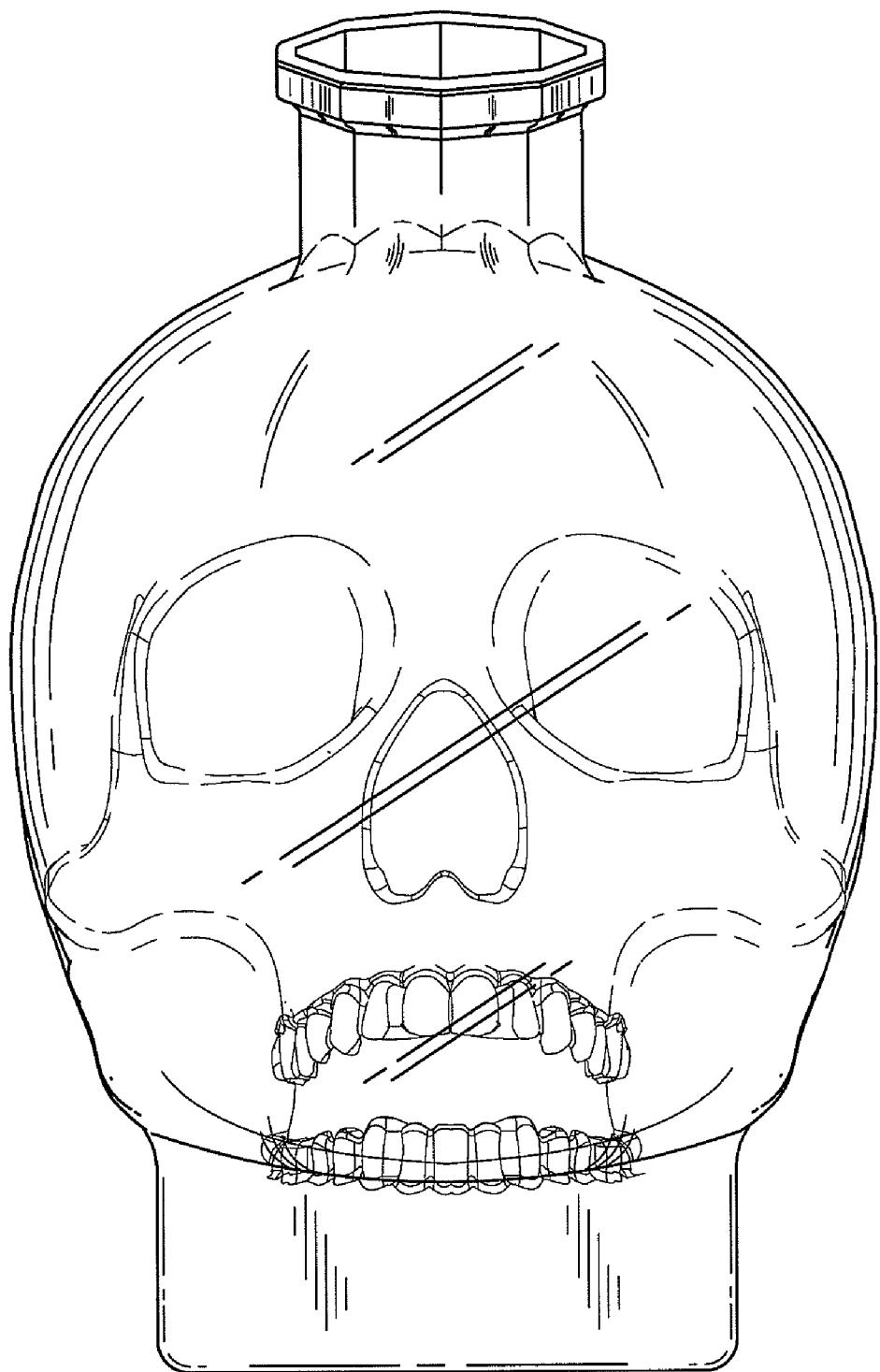


FIG. 3

U.S. Patent

Mar. 31, 2009

Sheet 4 of 6

US D589,360 S

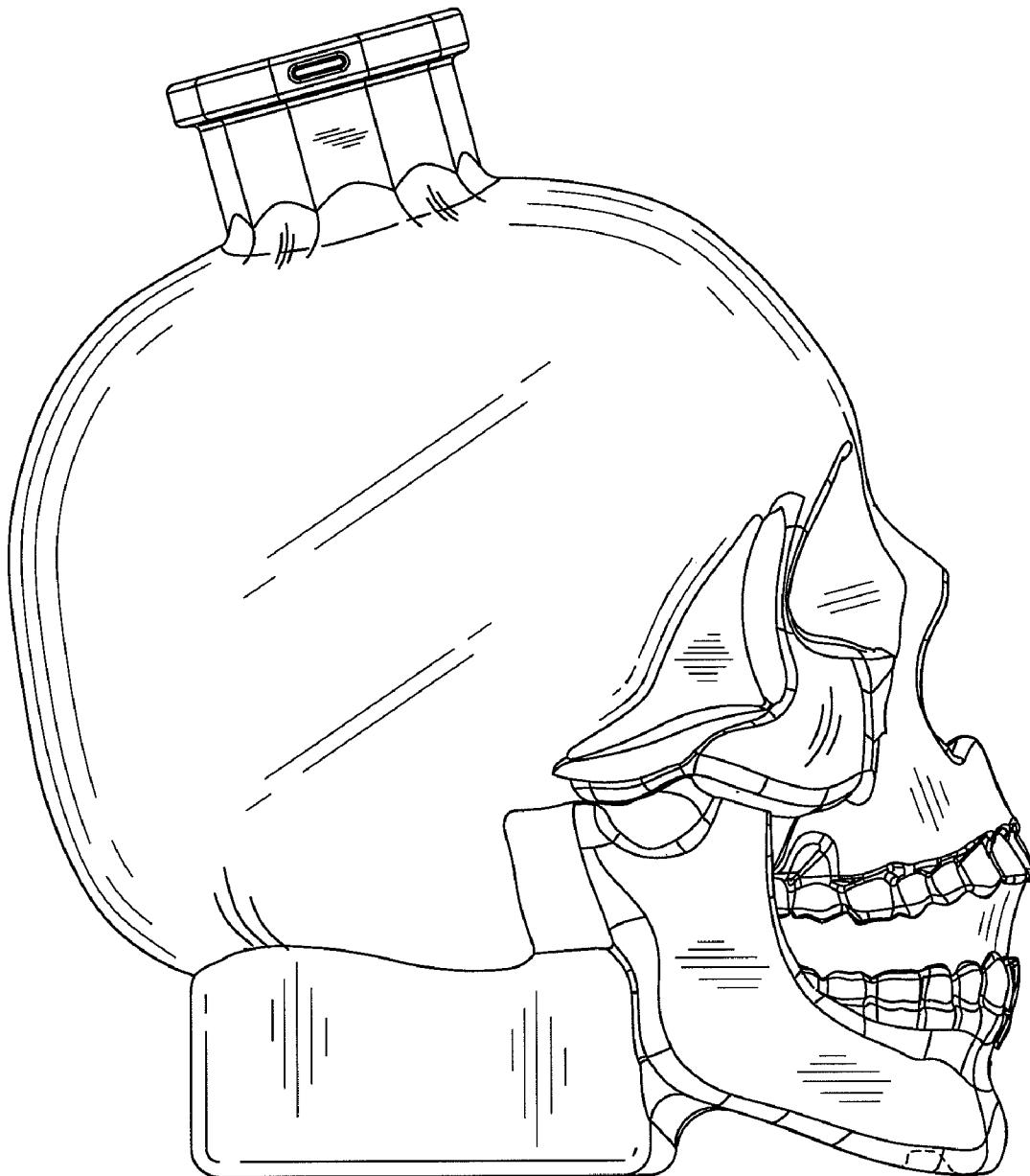


FIG. 4

U.S. Patent

Mar. 31, 2009

Sheet 5 of 6

US D589,360 S

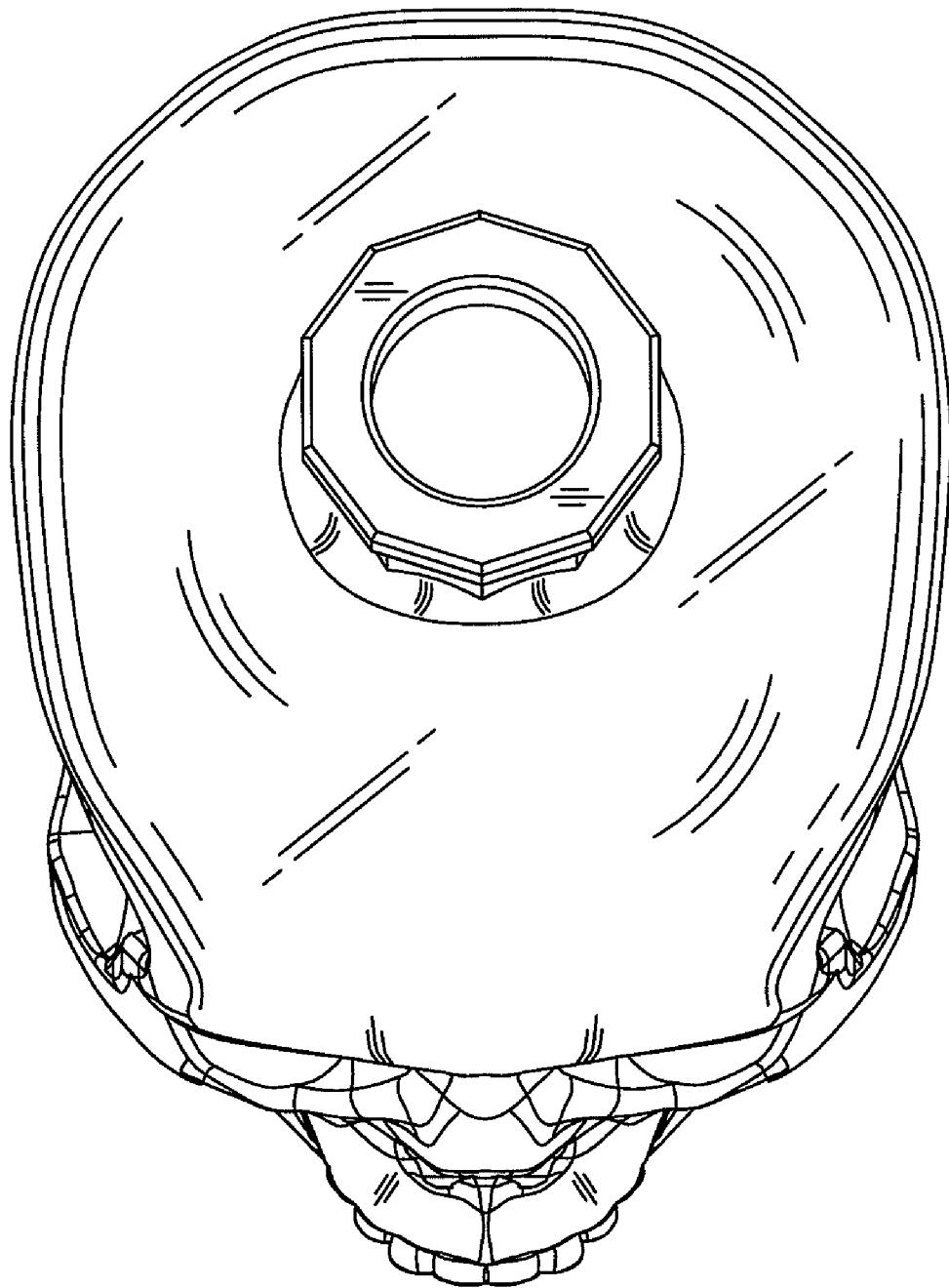


FIG. 5

U.S. Patent

Mar. 31, 2009

Sheet 6 of 6

US D589,360 S

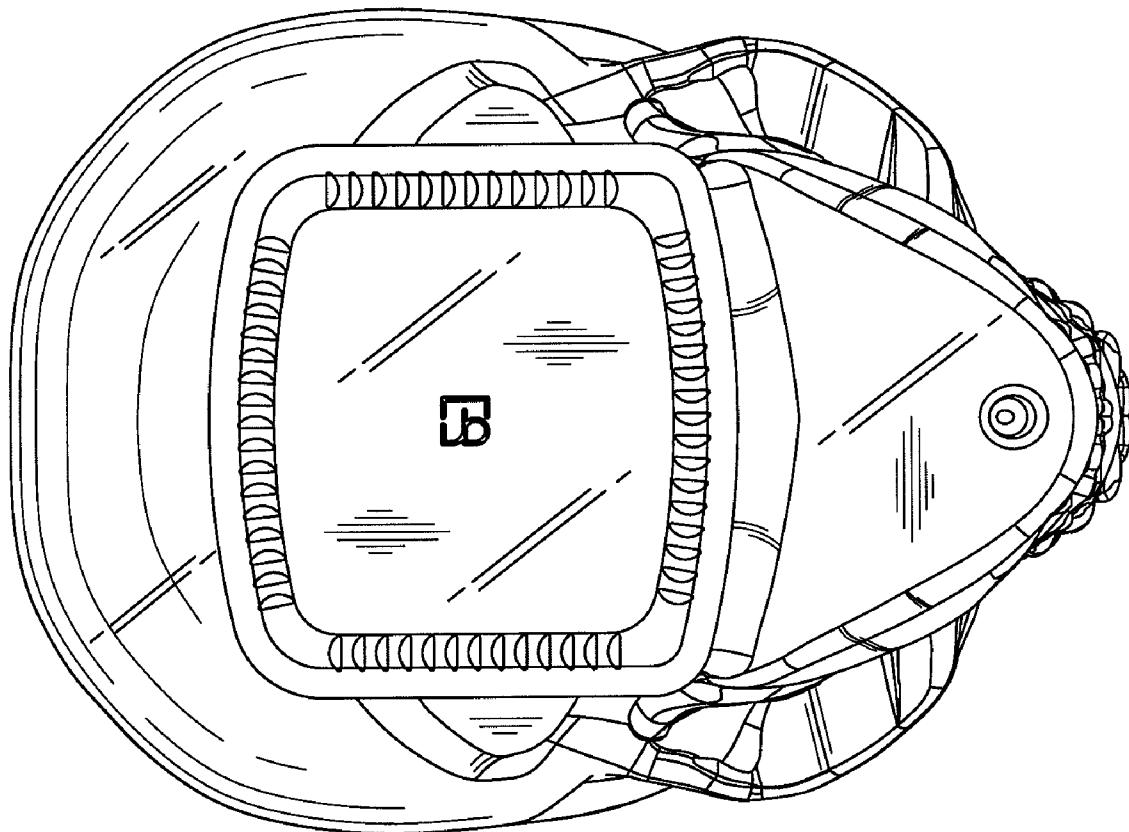


FIG. 6

Exhibit E




[sign in / account](#)
[my store ▾](#)
[weekly ad](#)
[gift cards](#)
[registries](#)
[TargetLists](#)
[REDcard ▾](#)
[≡ shop all categories](#)
[all ▾](#)

 [0 in your cart](#)
[Target](#) > [grocery & essentials](#) > [beverages](#) > [drink mixes](#)

Glass Skull with Cocktail Mixer: Lime, Strawberry & Bloody Mary 25 oz 3 assorted

[see store for price](#)

reg: \$7.99 (save 5%)

quantity:

- +
[add to cart](#)

not sold online

[find in a store](#)

notes

- Prices, promotions, styles and availability may vary by store and online.
- View our return policy.

[add to registry](#)
[add to list](#)
[share](#)


overview

[guest reviews](#)
[shipping & returns](#)
[recently viewed items](#)


Target stores

[find a store](#)
[clinic](#)

about Target

[company info & press](#)
[careers](#)

ways to save

[weekly ads](#)
[coupons](#)

help

[see all help](#)
[accessibility](#)

the REDcard

[card benefits](#)
[how to apply](#)

Exhibit F

COPY
2014 SEP 15 PM 3:56
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
BY: _____

FILED

1 C. Dennis Loomis, Bar No. 82359
 2 BAKER & HOSTETLER LLP
 3 11601 Wilshire Boulevard, Suite 1400
 Los Angeles, California 90025-7120
 Telephone: (310) 820-8800
 Facsimile: (310) 820-8859
 Email: cdloomis@bakerlaw.com
 5 Attorneys for Plaintiff
 6 GLOBEFILL INCORPORATED, a Canadian
 corporation

7

8 UNITED STATES DISTRICT COURT
 9 CENTRAL DISTRICT OF CALIFORNIA

10 SACV14-1486DOC (DFMx)

11 GLOBEFILL INCORPORATED, a
 Canadian corporation,

12 Plaintiff,

13 v.

14 COASTAL COCKTAILS, INC.,

15 Defendant.

16 Case No.

17 **COMPLAINT FOR DAMAGES
 AND INJUNCTIVE RELIEF FOR
 TRADEMARK INFRINGEMENT
 AND UNFAIR COMPETITION**

18 **DEMAND FOR JURY TRIAL**

19 **COMPLAINT**

20 Globefill Incorporated, by its attorneys, as its complaint against Defendant
 21 Coastal Cocktails, Inc. ("Defendant"), alleges as follows:

22 **PARTIES AND JURISDICTION**

23 1. Globefill Incorporated (hereinafter "Globefill"), is a Canadian
 corporation with its principal place of business at 333 Eglinton Avenue East,
 Toronto, Ontario, Canada M4P 1L7.

24 2. Upon information and belief, defendant Coastal Cocktails, Inc. is a
 California company with its principal place of business at 151 Kalmus Drive, Suite
 H6, Costa Mesa, California 92614.

25 3. This is an action for trademark infringement and for related claims of
 26 unfair competition under the Lanham Act, 15 U.S.C. §§ 1114(1) and 1125(a) (as

27
 28
 COMPLAINT FOR DAMAGES AND INJUNCTIVE
 RELIEF FOR TRADEMARK INFRINGEMENT

1 amended). This Court has jurisdiction of this action under 28 U.S.C. §1331, 1332,
 2 1338 (a)-(b) and 1367(a). Venue is proper in this district under 28 U.S.C. §§ 1391
 3 and 1400(a).

4 **STATEMENT OF FACTS**

5 4. Globefill produces and sells an ultra-premium vodka in bottle
 6 packaging in the shape of a skull, as depicted in Exhibit A attached hereto and
 7 incorporated herein by this reference.

8 5. Globefill is the owner of the trade dress that consists of “a
 9 configuration of a bottle in the shape of a skull” for use in association with
 10 “alcoholic beverages, namely vodka” (hereinafter “Skull Bottle Trade Dress”).
 11 Globefill registered the Skull Bottle Trade Dress with the United States Patent and
 12 Trademark Office under Registration No. 4043730.

13 6. Globefill’s Application to register the Skull Bottle Trade Dress was
 14 filed on March 24, 2010 and Registration No. 4043730 was issued by the U.S.
 15 Patent and Trademark Office on October 25, 2011. A true and correct copy of
 16 Globefill’s Registration Certificate No. 4043730 is attached hereto as Exhibit B and
 17 incorporated herein by this reference.

18 7. Pursuant to 15 U.S.C. § 1057, Globefill’s Registration No. 4043730, is
 19 *prima facie* evidence of Globefill’s ownership of the Skull Bottle Trade Dress, of
 20 the non-functionality and inherent distinctiveness of the Skull Bottle Trade Dress,
 21 and of Globefill’s exclusive right to use the Skull Bottle Trade Dress in association
 22 with the goods identified therein: “alcoholic beverages, namely vodka.”

23 8. Upon information and belief, Coastal Cocktails advertises, markets,
 24 sells and offers for sale, in the United States, a Margarita mix packaged in skull-
 25 shaped trade dress, as shown in the true and accurate photographs attached hereto
 26 as Exhibit C and incorporated herein by this reference.

27
 28

1 **FIRST CLAIM FOR RELIEF - FEDERAL TRADEMARK**

2 **INFRINGEMENT**

3 9. Globefill repeats, and incorporates herein by this reference, the
4 allegations set forth in paragraphs 1 through 8 hereinabove.

5 10. Defendant and its Margarita mix is not affiliated, connected or
6 associated with, nor sponsored, authorized, approved or license by Globefill and/or
7 its vodka.

8 11. Upon information and belief, Defendant adopted and began using
9 skull-shaped trade dress for its Margarita mix without the consent or knowledge of
10 Globefill.

11 12. Defendant's skull-shaped trade dress is similar to Globefill's federally
12 registered Skull Bottle Trade Dress as both parties' trade dresses consist of skull-
13 shaped bottle packaging for use in association with products consisting of or used
14 in combination with distilled spirits.

15 13. Upon information and belief, Globefill's Skull Bottle Trade Dress and
16 Defendant's skull-shaped trade dress are confusingly similar and both are used in
17 association with competing and related products that travel in identical channels of
18 trade.

19 14. Upon information and belief, Defendant's advertising, marketing,
20 offering for sale and sale of a Margarita mix in skull-shaped trade dress is likely to
21 cause relevant consuming public to be confused or mistaken as to whether
22 Defendant or its Margarita mix is affiliated, connected, or associated with, or
23 sponsored, authorized, or approved or licensed by Globefill and/or its vodka.

24 15. By the acts alleged herein, Defendant has infringed Globefill's
25 federally registered Skull Bottle Trade Dress in violation of Section 32(1) of the
26 Lanham Act (15 U.S.C. §1114(1)). Defendant has thereby caused, is causing and
27 will continue to cause Globefill serious and irreparable damage for which there is
28

1 no adequate remedy at law, and Defendant's acts will, unless enjoined by this
2 Court, continue to damage Globefill.

3 16. Upon information and belief, the aforesaid acts of trademark
4 infringement have been undertaken with knowledge of Globefill's exclusive rights
5 to the Skull Bottle Trade Dress, and are willful, entitling Globefill to an award of
6 treble damages and attorneys' fees in bringing and maintaining this action, pursuant
7 to Section 35(b) of the Lanham Act, 15 U.S.C. §1117(b).

8 **SECOND CLAIM FOR RELIEF - FEDERAL UNFAIR COMPETITION**

9 17. Globefill repeats, and incorporates here by this reference, the
10 allegations set forth in paragraphs 1 through 8 and 10 through 16 hereinabove.

11 18. Defendant's advertising, marketing, offering for sale and sale of a
12 competitive product used in combination with distilled spirits in a confusingly
13 similar skull-shaped trade dress constitutes unfair competition and false designation
14 of origin that is likely to deceive consumers.

15 19. By the aforesaid acts, Defendant has falsely designated the origin,
16 quality and nature of its goods and business and has falsely described and
17 represented same, causing likelihood of confusion and constituting unfair
18 competition in violation of Section 43(a) of the Lanham Act (15 U.S.C. §1125(a)).
19 Defendant has thereby caused, is causing and will continue to cause Globefill
20 serious and irreparable damage for which there is no adequate remedy at law, and
21 Defendant's acts will, unless enjoined by this court, continue to damage Globefill.

22 20. Upon information and belief, the aforesaid acts of trademark
23 infringement have been undertaken with knowledge of Globefill's exclusive rights
24 to the Skull Bottle Trade Dress, and is willful, entitling Globefill to an award of
25 treble damages and attorneys' fees in bringing and maintaining this action, pursuant
26 to Section 35(b) of the Lanham Act, 15 U.S.C. §1117(b).

27 WHEREFORE, Plaintiff Globefill requests judgment as follows:
28

1 A. That Defendant, along with its officers, agents, servants, employees,
 2 attorneys, confederates, and all other persons in active concert or participation with
 3 Defendant to whom notice of the injunction is given by personal service or
 4 otherwise, be enjoined, at first preliminarily and, thereafter, permanently, from
 5 making any use of any colorable imitation of Globefill's Skull Bottle Trade Dress
 6 in any manner whatsoever;

7 B. That Defendant be ordered to deliver up to Globefill for destruction all
 8 materials comprising, associated with, bearing or packaged in skull-shaped trade
 9 dress;

10 C. That Defendant be ordered to recall all goods, advertisements and
 11 promotional materials comprising, associated with, bearing or packaged in skull-
 12 shaped trade dress from their present locations, including, but not limited to,
 13 locations owned by others;

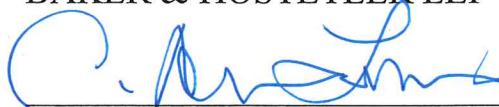
14 D. That Defendant be required to account to Globefill for any and all
 15 profits derived by them and to compensate Globefill for all damages sustained by
 16 Globefill by reason of the acts complained of herein, and that such damages be
 17 trebled;

18 E. That Defendant pay Globefill's attorneys' fees, costs, and
 19 disbursements incurred in this action in view of the exceptional nature of this case
 20 due to the willful and intentional nature of the unfair competition and false
 21 designation of origin in the nature of trade dress infringement; and

22 F. For such other and further relief as the Court deems just and proper.

23 Dated: September 15, 2014

BAKER & HOSTETLER LLP



24
 25 C. Dennis Loomis
 26 Attorneys for Plaintiff
 27 GLOBEFILL INCORPORATED, a
 28 Canadian corporation

JURY TRIAL DEMAND

Plaintiff demands a jury trial as to all matters properly so tried.

Dated: September 15, 2014

BAKER & HOSTETLER LLP

C. Dennis Loomis
Attorneys for Plaintiff
GLOBEFILL INCORPORATED, a
Canadian corporation

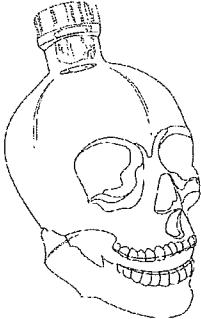
BAKER & HOSTETLER LLP
ATTORNEYS AT LAW
Los Angeles



EXHIBIT A

United States of America

United States Patent and Trademark Office



Reg. No. 4,043,730

GLOBEFILL INCORPORATED (CANADA CORPORATION)
309 ALFRED STREET

Registered Oct. 25, 2011

KINGSTON, ONTARIO, CANADA K7L3S4

Int. Cl.: 33

FOR: ALCOHOLIC BEVERAGES, NAMELY, VODKA, IN CLASS 33 (U.S. CLS. 47 AND 49).

TRADEMARK

FIRST USE 9-0-2008; IN COMMERCE 9-0-2008.

PRINCIPAL REGISTER

THE MARK CONSISTS OF A CONFIGURATION OF A BOTTLE IN THE SHAPE OF A SKULL.
THE BOTTLE CAP IS SHOWN IN DOTTED LINES AND IS NOT A PART OF THE MARK.

SER. NO. 77-967,530, FILED 3-24-2010.

SARA BENJAMIN, EXAMINING ATTORNEY



David J. Kopps

Director of the United States Patent and Trademark Office

EXHIBIT B

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See 15 U.S.C. §§1058, 1141k.* If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See 15 U.S.C. §§1058, 1141k.* However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See 15 U.S.C. §1141j.* For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.



EXHIBIT C

Exhibit G

[sign in / account](#) [my store ▾](#) [weekly ad](#) [gift cards](#) [registries](#) [TargetLists](#) [REDcard ▾](#)[≡ shop all categories](#)

all ▾



0 in your cart

Target > grocery & essentials > cookies, chips & snacks > dips & spreads

Skull Bottle Mild Hot Sauce 6 oz 2 assorted

see store for price



quantity:

-

+

[add to cart](#)

not sold online

[find in a store](#)

notes

- Prices, promotions, styles and availability may vary by store and online.
- View our return policy.

[add to registry](#)[add to list](#)[share](#)

overview

[guest reviews](#)[shipping & returns](#)

popular searches

el pato tomato sauce | old fashioned caramel dip | pineapple peach salsa | pace hot sauce | mexican mild salsa | sabra classic hummus 10 oz |

Exhibit H

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT (“Agreement”), effective from the date upon which it is fully executed (“Effective Date”), is made by and between Globefill Incorporated, a company organized under the laws of Canada, having a place of business at 333 Eglinton Avenue East, Toronto, Ontario, Canada M4P 1L7 (hereinafter referred to as “Globefill”) and Coastal Cocktails, Inc., a company organized under the laws of California, having a place of business at 151 Kalmus Drive, Suite H6, Costa Mesa, California 92614 (hereinafter “Coastal”);

WHEREAS, Globefill has filed a lawsuit against Coastal, designated Civil Action No. 14-1486 DOC (DFMx) in the United States District Court for the Central District of California, alleging claims for federal trademark infringement and federal unfair competition (hereinafter the “Lawsuit”) arising out of Coastal’s sale and offer for sale of margarita mix in skull-shaped bottles as depicted in Exhibit A (the “Accused Bottles”);

WHEREAS, Coastal denies Globefill’s claims and allegations in the Lawsuit;

WHEREAS, Coastal has sold hot sauce in the Accused Bottles, to which Globefill also objects; and

WHEREAS, the parties wish to amicably resolve the dispute between them concerning the facts and the claims alleged in the Lawsuit and concerning Coastal’s sale of hot sauce in Accused Bottles;

NOW, THEREFORE, in consideration of the above premises and the promises and agreements set forth herein, along with other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, each intending to be legally bound hereby, do represent, promise and agree as follows:

1. Coastal has ceased selling, offering for sale, or shipping, and agrees to continue to refrain from selling, offering for sale, or shipping margarita mix in Accused Bottles anywhere in the world.
2. Coastal represents (i) that it has an inventory of approximately 26,000 units of Accused Bottles, (ii) that it has no pending orders for Accused Bottles, (iii) that it will not place any further orders for Accused Bottles, or cause any additional Accused Bottles to be manufactured, and (iv) that it has confirmed orders for 10,000 units of hot sauce which are to be packaged in Accused Bottles and shipped from China to Europe and Australia in March and April, 2015.
3. Coastal agrees that its inventory of Accused Bottles shall be disposed of as follows:
(i) 10,000 units shall be filled with hot sauce and shipped from China to Europe and Australia in March and April, 2015 to fill its orders, (ii) 10,000 units will be destroyed within fourteen days following the Effective Date, and (iii) the remaining 6,000 units will be filled with hot sauce and sold and shipped to customers in Europe and/or Australia within 180 days following the Effective Date (the “Phase-Out Period”); provided,

however, that if any portion of the 10,000 units mentioned in subparagraph (i), above, or the 6,000 units mentioned in subparagraph (iii), above, are still within Coastal's possession, custody or control on the day the Phase-Out Period expires, they will be destroyed.

4. Contingent upon Coastal's compliance with the terms of this Agreement, Globefill releases and discharges Coastal from any and all known claims, demands, and causes of action in law or in equity, of any kind, arising or existing on or before the Effective Date related to Coastal's sale and offering for sale of margarita mix or hot sauce in Accused Bottles.
5. Contingent upon Coastal's compliance with the terms of this Agreement, Globefill covenants not to assert any further claims, demands, actions or causes of action in law or in equity, of any kind, against Coastal, or any of its officers, directors, agents, representatives, affiliates, manufacturers, suppliers, shippers, importers or customers arising out of or relating to (i) any sales or shipments of margarita mix in Accused Bottles prior to the Effective Date, and/or (ii) any sales or shipments of hot sauce in Accused Bottles prior to the expiration of the Phase-Out Period.
6. Within ten (10) days following the Effective Date of this Agreement, Globefill will dismiss the Lawsuit without prejudice.
7. The parties each agree to bear their own expenses and attorneys' fees incurred in connection with this Agreement and the released claims associated herewith.

Globefill Incorporated



(Signature)

Jonathan Henn
(Name)

MANGAGING PARTNER
(Title)

Fee. 24/15
(Date)

Coastal Cocktails, Inc.



(Signature)

MARK GREENBAUM
(Name)

President
(Title)

March 2, 2015
(Date)

Exhibit I



[Home](#) / [Food & Grocery](#) / [Gift Sets](#) / [Seasonal](#) /

The Modern Gourmet Just Like Fire Hot Sauce, Scull Container, 24.7 FO



Key features

Collectable Glass Scull Bottle

Quality Hot sauce



[add to list](#) [add to registry](#)

Description Item # 08793355000P Model # MN-240620-018

Just Like Fire Hot Sauce, Scull Container, 24.7 FO

Collectable Glass Scull Bottle, Quality Hot sauce

Added on October 26, 2016

Just Like Fire Hot Sauce, Scull Container, 24.7 FO

Collectable Glass Scull Bottle, Quality Hot sauce

Would you like to provide feedback on the Product Information displayed ?

[Provide Feedback](#)

advertisement



Specifications

Product Specifications

Dimensions:

Width (in.):	4.72
Depth (in.):	5.91
Height (in.):	7.15

Ratings & Reviews

Our members need you...Be the first to review this product.

[Write a Review](#)

Questions & Answers

Our members can help you... Be the first to ask a question about this product.

[Ask a Question](#)

